

MEMORANDUM

EXHIBIT FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
DADE COUNTY, FLORIDA

Agenda Item No. 6(H)

TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

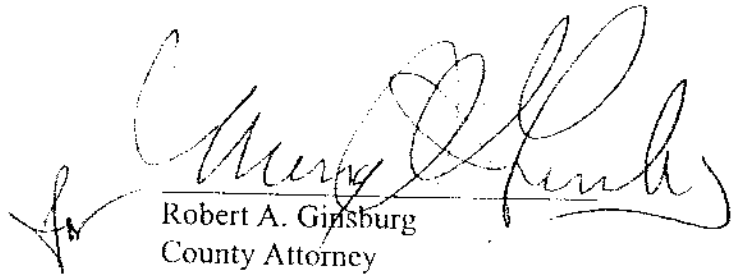
(Second Reading 5-11-04)
DATE April 13, 2004

FROM: Robert A. Ginsburg
County Attorney

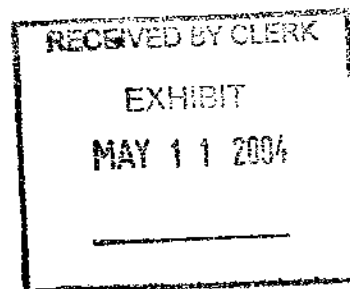
SUBJECT: Ordinance creating and
establishing the Northeast
Dade Area Municipal
Advisory Committee

04-104

The accompanying ordinance was prepared and placed on the agenda at the request of
Commissioner Sally A. Heyman.


Robert A. Ginsburg
County Attorney


RAG/jls





MEMORANDUM

TO: Honorable Chairperson Barbara Carey-Shuler, Ed.D. and Members, Board of County Commissioners **DATE:** May 11, 2004

FROM: George M. Burgess, County Manager  **SUBJECT:** Ordinance creating and establishing the Northeast Dade Area Municipal Advisory Committee

The accompanying ordinance prepared and placed on the agenda at the request of Commissioner Sally Heyman will not have an additional fiscal impact on Miami-Dade County.

The municipal advisory committee has been meeting as established through Resolution No. 341-03 adopted on April 8, 2003. Staff will continue to provide the support it has been providing until the committee's work is completed.

Fiscal/002904



MEMORANDUM

(Revised)

TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

DATE: May 11, 2004

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 6 (H)

04.104

Please note any items checked.

_____ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised

_____ 6 weeks required between first reading and public hearing

_____ 4 weeks notification to municipal officials required prior to public hearing

_____ Decreases revenues or increases expenditures without balancing budget

_____ Budget required

_____ Statement of fiscal impact required

_____ Bid waiver requiring County Manager's written recommendation

_____ Ordinance creating a new board requires detailed County Manager's report for public hearing

_____ Housekeeping item (no policy decision required)

_____ No committee review

Approved _____ Mayor

Ordinance Item No. 6(H)

Veto _____

5-11-04

Override _____

**OPTIONAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
DADE COUNTY, FLORIDA**

ORDINANCE NO. _____

ORDINANCE CREATING AND ESTABLISHING THE NORTHEAST DADE AREA MUNICIPAL ADVISORY COMMITTEE, DIRECTING STAFF TO PREPARE A STUDY OF THE POSSIBLE CREATION OF A NEW MUNICIPALITY IN THE AREA OF NORTHEAST DADE; PROVIDING WAIVER OF SECTIONS 2-11.37(c) AND 2-11.38 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
MIAMI-DADE COUNTY, FLORIDA:**

Section 1. Creating of the Northeast Dade Area Municipal Advisory Committee;
composition:

There is hereby created a Northeast Dade Area Municipal Advisory Committee consisting of a minimum of no less than seven (7) members and no more than eleven (11) members. The initial members as well as any vacancies on the Northeast Dade Area Municipal Advisory Committee shall be those members appointed pursuant to memorandum to be issued by the County Commissioner for the District. The members of the committee shall select officers from the membership as desirable or necessary.

Section 2. **Purposes.**

- 1) To review the possible incorporation of the generally described area:

North: NE 215th Street or County Line Road

East: the Florida East Coast Railway along West Dixie Highway

South: the City of North Miami Beach

West: Interstate 95 from NE 215th Street south to

the Snake Creek Canal.

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- 2) To prepare an advisory report that shall address the results of the study prepared by County staff as well as incorporation concerns of members of the Board of County Commissioners and the manner in which those concerns may be alleviated in the event Northeast Dade Area is incorporated as a new municipality.

Section 3. **Duties and Responsibilities.**

- 1) The committee shall conduct no less than two duly advertised public hearings at which the residents of the area shall have the opportunity to express their views and concerns regarding the proposed incorporation of the Northeast Dade Area.
- 2) Prior to the first public hearing, the committee shall have reviewed the tape of the County Commission workshop on incorporation held on January 14, 1999, and shall be familiar with written materials concerning incorporation presented to the Board of County Commissioners at that time and at any subsequent meeting or workshop.
- 3) The committee's responsibilities shall terminate upon submission of its report to the Board of County Commissioners.

Section 4. The requirement of Section 2-11.37(c) of the Code of Miami-Dade County is hereby waived.

Section 5. Notwithstanding the provisions of Section 2-11.38 of the Code of Miami-Dade County, a member of a Community Council may simultaneously serve on the Northeast Dade Area Municipal Advisory Committee.

Section 6. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 7. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and

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04-104

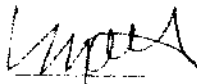
be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 8. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

Section 9. This ordinance shall stand repealed one year from its effective date.

PASSED AND ADOPTED: **MAY 13 2004**

Approved by County Attorney as
to form and legal sufficiency:



Prepared by:



Craig H. Collier

Sponsored by Commissioner Sally A. Heyman